

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UPSTATE JOBS PARTY; MARTIN BABINEC; and
JOHN BULLIS,

Plaintiffs,

v.

6:18-CV-0459
(GTS/ATB)

PETER S. KOSINSKI, New York State Bd. of
Elections Co-Chair Comm'r, in his official capacity;
DOUGLAS A. KELLNER, New York State Bd. of
Elections Co-Chair Comm'r, in his official capacity;
ANDREW J. SPANO, New York State Bd. of
Elections Comm'r, in his official capacity; and
GREGORY P. PETERSON, New York State Board of
Elections Comm'r, in his official capacity,

Defendants.

APPEARANCES:

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GLENN T. SUDDABY, United States District Judge

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DECISION and ORDER

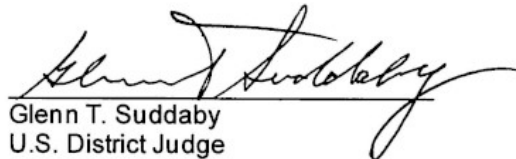
This action has been returned to the Court following the issuance of the Second Circuit's Mandate of July 24, 2024, which vacated the part of the Court's Amended Decision of Order of October 8, 2021, that had granted summary judgment to Plaintiffs on their First and Fourteenth Amendment claims relating to New York's contribution limits, and which remanded this action to the Court with the instruction that summary judgment be entered in favor of Defendants as to those claims. (*Compare* Dkt. No. 92 *with* Dkt. No. 83.)¹

ACCORDINGLY, it is

ORDERED that, in accordance with the Second Circuit's Mandate of July 24, 2024 (Dkt. No. 92), Defendants' motion for summary judgment (Dkt. No. 57) is **GRANTED** on Plaintiffs' First and Fourteenth amendment claims relating to New York's contribution limits, and Plaintiffs' motion for summary judgment (Dkt. No. 56) is **DENIED** on those claims, such that Defendants' motion for summary judgment (Dkt. No. 57) is **GRANTED in its entirety**, and Plaintiffs' motion for summary judgment (Dkt. No. 56) is **DENIED in its entirety**; and it is further

ORDERED that the Clerk of Court shall enter a Second Amended Judgment in accord with the above-stated rulings and close this action.

Dated: August 8, 2024
Syracuse, New York


Glenn T. Suddaby
U.S. District Judge

¹ The Second Circuit affirmed the part of the Court's Amended Decision of Order of October 8, 2021, that had granted summary judgment to Defendants on Plaintiffs' First and Fourteenth Amendment claims relating to New York's housekeeping account rule. (*Compare* Dkt. No. 83 *with* Dkt. No. 92.)